

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOSHUA A. PETERSON,)

Plaintiff,)

v.)

MAGEN DAVIS, Unit Administrator)

Lincoln Correctional Center,)

Individually and in their Official)

Capacities, CAPTION FULLERTON,)

Nebraska State Prison, Individually)

and in their Official Capacities,)

MICHELLE CAPPS, Deputy Warden)

Nebraska State Prison, Individually)

and in their Official Capacities,)

ROBERT MADSEN, Warden)

Nebraska State Prison, Individually)

and in their Official Capacities, UNIT)

ADMINISTRATOR JOHNSTON,)

Nebraska State Prison, Individually)

and in their Official Capacities,)

SALVADOR CRUZ, Unit Manager)

Lincoln Correctional Center,)

Individually and in their Official)

Capacities, and ROWAN TAYLOR,)

Case Manager Lincoln Correctional)

Center, Individually and in their)

Official Capacities,)

Defendants.)

4:17CV3137

**MEMORANDUM
AND ORDER**

Plaintiff filed his Complaint in this matter on October 10, 2017, while he was incarcerated. The court granted him leave to proceed in forma pauperis on October 12, 2017, also while he was incarcerated. Plaintiff filed a notice of change of address

on February 2, 2018, indicating that he is no longer incarcerated. (See Filing No. [11](#).)

Since Plaintiff is no longer incarcerated, he must now file a new application for leave to proceed in forma pauperis if he wishes to continue pursuing this case in forma pauperis. Plaintiff may, in the alternative, pay the court's \$400.00 filing and administrative fees.

IT IS THEREFORE ORDERED that:

1. Plaintiff must either file a new request for leave to proceed in forma pauperis or pay the court's \$400.00 filing and administrative fees within 30 days. Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

2. The clerk of the court is directed to send to Plaintiff the Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit."

3. The clerk of the court is directed to set a pro se case management deadline with the following text: March 7, 2018: deadline for Plaintiff to file new IFP application or pay filing fee.

DATED this 5th day of February, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge